

REFERENCE TITLE: **seat belts; school buses**

State of Arizona  
House of Representatives  
Forty-ninth Legislature  
First Regular Session  
2009

# **HB 2211**

Introduced by  
Representative Miranda B

AN ACT

AMENDING TITLE 28, CHAPTER 3, ARTICLE 15, ARIZONA REVISED STATUTES, BY ADDING SECTION 28-913; RELATING TO SCHOOL BUSES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:  
2       Section 1. Title 28, chapter 3, article 15, Arizona Revised Statutes,  
3 is amended by adding section 28-913, to read:

4       28-913. School buses: lap belts required; exceptions; civil  
5                     penalty

6       A. EACH SCHOOL BUS SHALL BE EQUIPPED WITH LAP BELTS AND EACH SCHOOL  
7 BUS PASSENGER SHALL WEAR A PROPERLY ADJUSTED AND FASTENED LAP BELT WHILE THE  
8 SCHOOL BUS IS IN MOTION.

9       B. THE OPERATOR OF A SCHOOL BUS SHALL REQUIRE EACH SCHOOL BUS  
10 PASSENGER TO COMPLY WITH THIS SECTION.

11       C. A PEACE OFFICER SHALL NOT STOP OR ISSUE A CITATION TO A PERSON  
12 OPERATING A SCHOOL BUS ON A HIGHWAY IN THIS STATE FOR A VIOLATION OF THIS  
13 SECTION UNLESS THE PEACE OFFICER HAS REASONABLE CAUSE TO BELIEVE THAT THERE  
14 IS ANOTHER ALLEGED VIOLATION OF A MOTOR VEHICLE LAW OF THIS STATE.

15       D. IF A PERSON IS FOUND RESPONSIBLE FOR A CIVIL TRAFFIC VIOLATION  
16 UNDER THIS SECTION, A DEPARTMENT OR AGENCY OF THIS STATE SHALL NOT CONSIDER  
17 THE VIOLATION FOR THE PURPOSE OF DETERMINING WHETHER THE PERSON'S DRIVER  
18 LICENSE SHOULD BE SUSPENDED OR REVOKED. A COURT SHALL NOT TRANSMIT ABSTRACTS  
19 OF RECORDS OF VIOLATIONS OF THIS SECTION TO THE DEPARTMENT.

20       E. AN INSURER SHALL NOT CONSIDER A CIVIL TRAFFIC VIOLATION UNDER THIS  
21 SECTION AS A TRAFFIC VIOLATION AGAINST THE PERSON FOR THE PURPOSES OF  
22 ESTABLISHING RATES FOR MOTOR VEHICLE LIABILITY INSURANCE OR DETERMINING THE  
23 INSURABILITY OF THE PERSON. AN INSURER SHALL NOT CANCEL OR REFUSE TO RENEW  
24 ANY POLICY OF INSURANCE BECAUSE OF THE VIOLATION.

25       F. THIS SECTION DOES NOT APPLY TO:

26           1. A CHILD SUBJECT TO THE REQUIREMENTS OF SECTION 28-907.

27           2. A PERSON POSSESSING A WRITTEN STATEMENT FROM A PHYSICIAN OR A  
28 REGISTERED NURSE PRACTITIONER THAT THE PERSON IS UNABLE FOR MEDICAL OR  
29 PSYCHOLOGICAL REASONS TO WEAR A LAP BELT.

30       G. IF A PERSON IS FOUND RESPONSIBLE FOR A CIVIL TRAFFIC VIOLATION  
31 UNDER THIS SECTION, THE PERSON IS SUBJECT TO A MAXIMUM CIVIL PENALTY OF TEN  
32 DOLLARS FOR EACH VIOLATION.

33       H. THE DRIVER OF A SCHOOL BUS WHO IS FOUND RESPONSIBLE FOR A CIVIL  
34 TRAFFIC VIOLATION UNDER THIS SECTION RELATING TO PASSENGERS IS SUBJECT TO A  
35 MAXIMUM CIVIL PENALTY OF TEN DOLLARS FOR EACH VIOLATION.